



Industrial Telecommunications Association, Inc.

FCC MAIL ROOM

December 23, 1996

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Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Re: PR Docket No. 93-144; Amendment of Part 90 of the
Commission's Rules to Facilitate Future
Development of SMR Systems in the 800 MHz
Frequency Band
Notice of Ex Parte Filing

Dear Mr. Caton:

On December 20, 1996, a coalition consisting of twelve user
associations submitted the enclosed letter to Michele C.
Farquhar, Chief of the Wireless Telecommunications Bureau.

In their letter, the signatory user associations request
action by the Wireless Telecommunications Bureau to standardize
the existing modification policies for radio systems licensed in
the 800 MHz frequency band.

In accordance with Section 1.1206(a)(2) of the Commission's
rules, I am filing the original and one copy of this Notice of Ex
Parte presentation with the Secretary's office for inclusion in
the official files for PR Docket 93-144.

Sincerely,

Frederick J. Day

Frederick J. Day
Executive Director,
Government Relations

Enclosure

cc: Michele C. Farquhar, Esq.

No. of Copies rec'd 011
List ABCDE

TELFAC

Telephone Maintenance Frequency
Advisory Committee

CICS

Council of Independent
Communication Suppliers

December 20, 1996

Michele C. Farquhar, Esq.
Chief, Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W., Room 5002
Washington, D.C. 20554

Re: Modification Policy for 800 MHz Systems

Dear Ms. Farquhar:

In recent meetings with you and staff members of the Commissioners' offices, concern was expressed regarding the present variations in the standards that govern modification of existing 800 MHz land mobile systems. In this letter, the undersigned parties set forth a suggested approach for producing greater uniformity in the processing of 800 MHz modification applications.

Our motivation for suggesting this approach is to establish consistency in the applicable standards. Consistency in the relevant standards will, in turn, promote coherent decision-making, reduce misunderstandings and conserve FCC resources.

Background

Currently, incumbent licensees on the upper 200 SMR channels may add new sites without prior notice to the FCC if the new sites are located within the 22 dB μ contour of an existing site and operation of the new site does not expand that contour. The licensees may implement these changes without advance FCC approval and without having filed a modification application in advance. (*800 MHz First Report and Order*, 11 FCC Rcd. 1463 (1995).)

SMR licensees on the lower 80 SMR channels and the General Category channels may modify their existing systems as long as the proposed modification does not expand the 40 dB μ contour of the originally authorized site. Unlike licensees on the upper 200 SMR channels, however, licensees on the lower 80 channels and the General Category channels must file an application in advance and receive FCC approval before implementing the proposed changes. (*Public Notice* entitled "Clarification of Wireless Telecommunications Bureau Order Regarding Requests for Waiver of the 800 MHz Specialized Mobile Radio Application Freeze," DA 96-2003, released December 2, 1996.)

... / ...

The above-described modification standards apply only to SMR systems. By the express terms of the implementing documents, licensees of non-SMR private wireless (Industrial/Land Transportation, Business or Public Safety systems) at 800 MHz may not take advantage of the above-described standards for implementing changes in their systems.

Suggested Approach

Both the public and the FCC would benefit if the standards governing changes in sites for existing systems were to be made uniform for all 800 MHz licensees. As noted above, conforming the standards would promote understanding among the public, improve the efficiency of the Commission's processes and ease the burden on FCC staff who must interpret and articulate the relevant policies.

The undersigned parties suggest the following approach:

- (1) All 800 MHz licensees, both SMR and private, regardless of the range or category of frequencies in which licensed, be permitted to add new sites or relocate existing sites if the new or relocated sites are within the 22 dB μ contour of an existing site and the modified operations do not expand that 22 dB μ contour;
- (2) All 800 MHz licensees, both SMR and private, regardless of the range or category of frequencies in which licensed, be permitted to implement such changes without advance FCC approval;
- (3) Licensees who implement changes in their systems pursuant to this policy be required to notify the Commission and their respective 800 MHz frequency advisory committee by means of an application for minor modification filed after the new or modified stations have been constructed.

Follow-up Action

We believe that it would be highly beneficial to establish a consistent and uniform modification policy for all 800 MHz systems. The approach suggested above would accomplish this result. If you agree with this approach, the Bureau could issue a relatively brief Public Notice to advise all 800 MHz licensees of the conforming policy.

... / ...

Michele C. Farquhar, Esq.
December 20, 1996
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If you have any questions, please feel free to contact any of the undersigned parties.

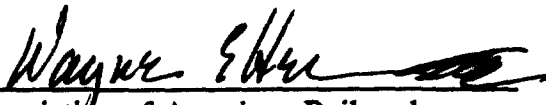
Respectfully submitted,


American Automobile Association

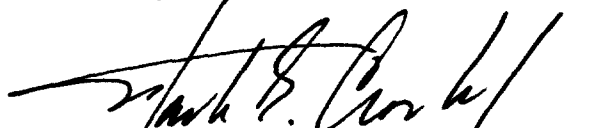

American Mobile Telecommunications
Association



American Petroleum Institute


American Trucking Associations, Inc.


Association of American Railroads


Forest Industries Telecommunications


Industrial Telecommunications
Association, Inc.


International Taxicab and Livery
Association


Manufacturers Radio Frequency Advisory
Committee


Personal Communications Industry
Association


UTC, The Telecommunications
Association


Telecommunications Industry Association

Michele C. Farquhar, Esq.

December 20, 1996

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